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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

- - - - - x
In re: : Chapter 11
: Case No. 08-35653 (KRH)
CIRCUIT CITY STORES, INC., :
et al., :
: Debtors. : Jointly Administered
- - - - - x

**ORDER GRANTING DEBTORS' MOTION FOR
AND MEMORANDUM OF LAW IN SUPPORT OF SUMMARY JUDGMENT ON
NINETEENTH OMNIBUS OBJECTION TO CLAIMS
(RECLASSIFICATION OF CERTAIN MISCLASSIFIED CLAIMS TO
GENERAL UNSECURED, NON-PRIORITY CLAIMS) WITH RESPECT TO
THE CLASS CLAIM OF JACK HERNANDEZ**

Upon consideration of the Debtors' motion for
summary judgment (the "Motion"), pursuant to Bankruptcy
Code section 105, 502 and 507, Rules 2002, 3007, 7056,

9007 and 9014 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules") and Rule 56 of the Federal Rules of Civil Procedure (the "Civil Rules"), on the Nineteenth Objection to Claims (Reclassification of Certain Misclassified Claims to General Unsecured, Non-Priority Claims) with respect to the Claim of Jack Hernandez ("Claimant"), attached as Exhibit B to the Motion; the Court having determined that the relief requested in the Motion is in the best interests of the Debtors, their estates, their creditors, and other parties in interest; and it appearing that proper and adequate notice of the Motion has been given and that no other or further notice is necessary; and upon the record herein; and a hearing having been held on March 25, 2010; and after due deliberation thereon; and good and sufficient cause appearing therefor, it is hereby

ORDERED, ADJUDGED AND DECREED THAT:

1. The Motion is GRANTED.
2. Claim number 6045 (the "Claim") is hereby reclassified to a general unsecured, non-priority claim in its entirety.

3. Nothing in this Order shall be deemed to prejudice the Claimant's right to seek relief pursuant to Rule 7023 of the Federal Rules of Bankruptcy Procedure to file the Claim as a class proof of claim or the Debtors', the Creditors' Committee's and all other parties in interest's rights and defenses with respect thereto, all of which are not waived and are expressly reserved.

4. The Debtors right to object to any claim, including (without limitation) the Claim, on any grounds that governing law permits are not waived and are expressly reserved.

5. To the extent that this Order conflicts with the Order on Debtors' Nineteenth Omnibus Objection to Claims (Reclassification of Certain Misclassified Claims to General Unsecured, Non-Priority Claims) (Docket No. 3703), this Order shall control.

6. The Debtors shall serve a copy of this Order on Claimant on or before seven (7) days from the entry of this Order.

7. This Court shall retain jurisdiction with respect to all matters arising from or related to this Order.

Dated: Richmond, Virginia
_____, 2010

UNITED STATES BANKRUPTCY JUDGE

WE ASK FOR THIS:

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CERTIFICATION OF ENDORSEMENT UNDER LOCAL RULE 9022-1 (C)

Pursuant to Local Bankruptcy Rule 9022-1(C), I hereby certify that the foregoing proposed order has been endorsed by or served upon all necessary parties.

/s/ Douglas M. Foley
Douglas M. Foley

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